

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

William Carl Tyler,

Plaintiff,

v.

Case No. 12-14527

Commissioner of Social Security,

Sean F. Cox
United States District Court Judge

Defendant.

ORDER ADOPTING
REPORT AND RECOMMENDATION

Plaintiff filed this action pursuant to 42 U.S.C. §405(g), challenging the Commissioner's final decision, denying his application for Supplemental Security Income under the Social Security Act. Thereafter, the parties filed cross-motions for summary judgment, which were referred to Magistrate Judge David Grand.

On December 4, 2013, Magistrate Judge Grand issued a Report and Recommendation ("R&R") (Docket Entry No. 16), wherein he recommends that the Court deny the Commissioner's Motion for Summary Judgment. He further recommends that the Court: 1) grant Plaintiff's motion in part, to the extent it seeks remand; 2) deny Plaintiff's motion in part, to the extent it seeks an award of benefits; and 3) remand the case, pursuant to sentence four of 42 U.S.C. §405(g) for further proceedings consistent with the R&R.

Neither party has filed objections to the R&R and the time permitted for doing so has passed.

Accordingly, IT IS ORDERED that the R&R is ADOPTED and this Court hereby: 1) DENIES the Commissioner's Motion for Summary Judgment; 2) GRANTS Plaintiff's Motion

IN PART, to the extent it seeks remand; 3) DENIES the motion IN PART, to the extent it seeks an award of benefits; and 4) REMANDS this action, pursuant to sentence four of 42 U.S.C. §405(g), for further proceedings consistent with the R&R.

IT IS SO ORDERED.

S/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: January 29, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 29, 2014, by electronic and/or ordinary mail.

S/Jennifer McCoy
Case Manager